IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FOURTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION NO : 4254 of 2005

Between:

T.Ramanujula Reddy, s/o T.Ramachandra Reddy,
r/o 5/92-B, Muddanur Post, Cuddapah District.

..... PETITIONER

AND

1 The Regional Transport Authority,

rep., by its Secretary, Kadapa, Kadapa District.
2 The State Transport Appellate Tribunal,

rep., by its Presiding Officer,

Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a writ, order or direction more particularly one in the nature of writ of mandamus declaring the action of the 1st respondent in not passing any orders on the petitioner's representation dt.15-3-2004 extending the time stipulated in its R.No.4743/A2/99 dated 20-10-2003 by 4 more months, as illegal, arbitrary and unjust and consequently direct the respondent No.1 herein to extend the time granted to the petitioner on 20-10-2004 by 4 more months.

Counsel for the Petitioner: Smt. M.VINOBHA DEVI

Counsel for the Respondents: GP FOR TRANSPORT

The Court at the admission stage made the following :

ORDER:

This Writ Petition is filed seeking to declare the action of the 1st respondent in not passing any orders on the petitioner's representation, dated 15-3-2004, extending the time stipulated in proceedings R.No.4743/A2/99, dated 20-10-2003, by four more months, as illegal, arbitrary and unjust, and consequently to direct the 1st respondent herein to extend the time granted to the petitioner on 20-10-2004 by four more months.

2. Heard the learned counsel for the petitioner and the learned Government Pleader for Transport appearing on behalf of the respondents.

3. Learned counsel for the petitioner contended that the petitioner made an application to the 1st respondent for grant of Stage Carriage Permit and the 1st respondent rejected the same, vide proceedings No.R.No.4744/A2/99, dated 20-03-2002. Questioning the same, the petitioner filed an appeal before the 2nd respondent-State Transport Appellate Tribunal, Hyderabad, in A.P.No.86 of 2002, and the same was allowed on 25-07-2003, by setting aside the impugned order dated 20-03-2002 and the

1st respondent-Regional Transport Authority was directed to issue permit, on the route in question, within four months from the date of receipt of a copy of the order, on production of valid documents as required under the provisions of the Motor Vehicles Act, 1988 and A.P.Motor Vehicles Rules, 1989. In pursuance of the said order, the 1st respondent directed the petitioner to produce valid records of the vehicle within four months from the date of receipt of a copy of the proceedings. The petitioner made an application on 15-03-2004 to the 1st respondent for extension of time by four months, but the 1st respondent has not passed any orders. Aggrieved by the same, the petitioner filed the present Writ Petition.

4. The Writ Petition is allowed granting three months time from today to the petitioner to produce the said valid records of the vehicle, failing which he is not entitled to any valid permit.

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(K.C.BHANU,J)

4th March, 2005.

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To

1 The Secretary,

Regional Transport Authority,

Kadapa, Kadapa District.

2 The Presiding Officer,

The State Transport Appellate Tribunal,

Hyderabad.

3 Two CCs to the GP for Transport, High Court of A.P.,

Hyderabad (O.U.T.).

4 Two CD copies